

VZCZCXRO2386
RR RUEHAST
DE RUEHBW #0860/01 1510638
ZNR UUUUU ZZH
R 310638Z MAY 06
FM AMEMBASSY BELGRADE
TO RUEHC/SECSTATE WASHDC 8686
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS SECTION 01 OF 03 BELGRADE 000860

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E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [MW](#) [SR](#)
SUBJECT: MONTENEGRIN REFERENDUM: STEPS TOWARD INDEPENDENCE

BELGRADE 00000860 001.2 OF 003

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Ref: A) Belgrade 825 B) 05 Belgrade 2185

11. (SBU) Summary: One week after the vote, the positions of the Governments of Montenegro and Serbia are converging around the inevitability of a divorce. While neither government has presented a concrete and definitive plan, both have indicated to us they anticipate swift dissolution of the State Union. Once the results are final (by June 1), the GOM specifically plans to obtain parliamentary approval and have the Montenegrin MFA issue letters requesting recognition immediately after the approval, perhaps as soon as June 2. The Montenegrin opposition did not concede, and filed over 200 complaints in an effort to change the May 21 pro-independence outcome; the effort has little chance to succeed, however, especially following Solana's conclusion that the referendum had succeeded. Pro-Union bloc leader Predrag Bulatovic said May 29 he will abide by Solana's verdict that independence has won. The GOS has told us that there are no obstacles to rapid recognition of Montenegro and that it would not pre-condition recognition on resolution of financial and other issues. President Tadic's visit to Podgorica on 5/27 sent a strong signal of Serbia's willingness to work closely with an independent Montenegro. End summary.

Montenegro Seeking to Move Quickly

12. (SBU) The GOM appears to be moving on a fast track toward recognition. While the process is still in flux and the GoM is hesitant to commit to a definitive timeline, this is the GOM's (most) optimistic plan, as confirmed by Ivan Lekovic, Chief of Staff to Montenegrin President Vujanovic, and Aleksandar Bogdanovic, Economic adviser to Vujanovic:

By June 1: The Republic Referendum Commission (RRC) and RRC Chair Lipka (Slovakia) will issue the final results on the referendum. The opposition made some 240 complaints, but 200 were dismissed by the RRC by late on May 29. The RRC stated that most complaints dealt with issues beyond its competency, e.g., inaccuracies in the voters' lists, which closed nine days before the referendum, on May 12. COMMENT: We expect the RRC and Lipka to accept the preliminary result as final, bearing in mind the strong bill of health given to the referendum process by the OSCE and USG observers among others. End comment.

June 2: Speaker convenes Parliament to accept the RRC report and pass a Declaration of Independence. COMMENT: It appears that the main opposition party, the Socialist

People's Party (SNP), will concur in the results once the RRC completes its processes and after the EU acknowledges the final results. The Serbian People's Party (SNS) has however peremptorily rejected the results, and the remainder of the opposition is straddling the fence. If enough of the opposition decide to boycott, the GOM will likely rely on the 2002 Constitutional Court decision (Ref B) regarding the binding nature of referendums to negate the need for opposition cooperation.

June 5: GOM MFA sends out letters requesting recognition of Montenegro's status as an independent nation, attaching copies of the parliamentary action.

GOM: Talking with Serbia

13. (SBU) Lekovic and Bogdanovic told consulate officers on May 24 that the GoM hoped that Serbia would be the first to recognize Montenegro. Bogdanovic stated that the MFA's top priority was to work with GOS on mutual issues, such as the free flow of people and border control. Both interlocutors believed that GOS was sending positive signals and would ultimately be cooperative. Lekovic stated that if all went according to plan, Montenegro would declare May 21 as its official Independence Day, while July 13 would remain as Montenegro's Republic Day. He added that the MFA and the Ministry of Culture would probably move to Cetinje, but most of the GOM would remain in Podgorica.

New Constitution. New Prime Minister?

14. (SBU) Lekovic hoped that a new constitution would be adopted before national elections in October. Both seemed confident that Djukanovic would continue in politics and claimed that after a referendum win, this is what the

BELGRADE 00000860 002.2 OF 003

people of Montenegro will want. When asked who could succeed Djukanovic if he were to leave politics, both interlocutors were at a loss for names, but did offer that Marovic might be a leading candidate. Biographic note: These two young (late 20s), sharp, intelligent men were very impressive and could represent the future of Montenegrin politics. They were extremely knowledgeable on a variety of topics and had an excellent command of English. They opined that they would like to stay in Montenegro to work to build a better nation--unlike their peers who have already left--and they hoped that perhaps some of the young people who left Montenegro would now come back to help build an independent state. End note.

Montenegrin Opposition: Hard Hit and Hitting Back

15. (SBU) Over the past week, the Montenegrin opposition has predictably taken an uncooperative stance on the referendum results. Five minutes before the deadline, the pro-union bloc filed approximately 240 complaints with the RRC and Lipka. The complaints, by law, must be resolved quickly and a final result is expected to be announced by June 1. The pro-Union bloc has said it will not appeal the RRC decisions to the Constitutional Court, which they view as under Djukanovic's sway. The three main leaders of the opposition, Predrag Bulatovic (SNP), Predrag Popovic (NS), and Andrija Mandic (SNS), offered harsh criticisms of the referendum voting, in contrast to the strongly positive assessment of international observers, and in the face of strong urging from EU Envoy Lajcak (Slovakia) to accept the results and move on. Bulatovic is already heading in that direction, announcing May 29 that he will acquiesce in Javier Solana's judgment that the referendum results are valid. Mandic has called on all pro-union voters not to accept the results, a potentially destabilizing albeit rhetorical move.

GOS: Frustrated, but Accepting

16. (SBU) The GOS has no real timeline for dissolution, but there are two separate processes at work that should be viewed as separate, but related. First is the formal process of dissolution. Representatives of the GOS and the ruling Democratic Party of Serbia (DSS) said that Prime Minister Kostunica will recognize the results of the referendum once the EU releases the official tally. Two key advisors to Kostunica informed us of the same. Nonetheless, Milos Aligrudic, head of the DSS parliamentary group, told poloff that Premier Kostunica believes that Prime Minister Djukanovic stole the election, although said that they will accept the EU's final ruling. He added that the opposition had accepted these same conditions and, as a result, had to abide by Lipka's decision. Aligrudic does not anticipate any further disputes after the final results are released. To this end, he said that the GOS has no objections to Podgorica declaring independence as soon as possible. Kostunica's adviser Slobodan Samardzic told DCM May 30 that he sees no reason why Serbia would not recognize quickly and that resolution of bilateral issues will not be a precondition for recognition.

17. (SBU) The second aspect of the State Union dissolution is secession negotiations, which will address future Serbian and Montenegrin relations on a variety of topics from defense to health care. For this, Vladeta Jankovic, foreign policy advisor to Kostunica, told poloff that the GOS has no interest in pursuing these talks quickly. His deputy, Gordana Jaksic, even said that the GOS had considered starting a dialogue at the end of 2006. Many of the inter-republic issues are largely decided with only a handful of complicated issues remaining (for example, cross border education and health care, dividing up properties, settling Montenegro's debt to the State Union, etc). The timeline for discussions could last a year or more, though. The GOS recognizes that it has limited expertise and manpower to carry out secession negotiations and an extensive internal overhaul (see below). Many of their top people are already focused on Kosovo final status talks and SAA negotiations. The GOS will be hard pressed to find enough talent and resources to adequately and expediently address the post-referendum issues. One other advisor close to Kostunica told us on 5/26, however, that these issues were generally non-controversial and could be resolved "in a day."

GOS Restructuring

BELGRADE 00000860 003.2 OF 003

18. (SBU) Second, there are a number of internal legal changes that Serbia will need to make. GOS will need to fold the Ministry of Defense and MFA into its current governing structure. Interlocutors told poloff that the GOS will also absorb the Ministry for Minorities and Human Rights. The GOS will have to adopt laws that currently only exist on the State Union level; most notably the law on extradition of Serbian citizens, which is essential to cooperation with ICTY. All of these changes will have significant political ramifications--the GOS has already begun discussions on a cabinet reshuffle--which will exponentially complicate the process. The Socialist Party of Serbia, whose support is critical to the survival of Kostunica's government, has already staked out its firm opposition to many of potential candidates for this reshuffle.

GOS: Dissolution is Just the Beginning of the Struggle

19. (SBU) While emphasizing that the GOS will accept the

referendum's results and behave in a responsible manner, Aligrudic said that the current state of affairs is "not final." First, he outlined the developing GOS strategy to oppose Djukanovic. The DSS expects him to launch a campaign to win over pro-Union voters by baiting the GOS into overreaction on various issues. Aligrudic promised that Belgrade will response calmly and rationally to any such provocations. He also said that the GOS will continue to work with Montenegrin opposition to defeat Djukanovic in the upcoming parliamentary election and plans to force Djukanovic to campaign on key issues instead of simply the referendum victory. Lastly, Aligrudic said that Serbia will try to reunite with Montenegro in the future, even if it takes 30-50 years.

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